

MDEStat Meeting

February 25, 2013



Robert M. Summers, Secretary



Sue Battle-McDonald, Stat Director

Table 1: Disposal Site Registry: Statutory Requirements

- (2) The disposal site registry shall rank sites in priority for State remedial action, and include the following information with regard to each site:
- (i) A general description of the site, including its location, acreage, adjacent waterways, and estimates of the identity and the quantity of any controlled hazardous substance present;
 - (ii) An assessment by the Department of any threat to public health or natural resources posed by the site;
 - (iii) The status of any removal, restoration, or other remedial actions in progress or recommended by the Department;
 - (iv) An assessment of the relative priority of the need for removal, restoration, or other remedial action at each site; and
 - (v) A proposed time frame for site investigation and any necessary remedial action.”

Table 2: Proposed Timeline for Combining SML and SNML

August 30, 2012	Although concerned about potential stigma associated with placing a site on a list that includes NPL sites, stakeholders express less concern about placing sites on a list entitled “Brownfield Master Inventory”. Based on this input, MDE has revised the strategy for incorporating sites into a single list.
September 2012	Revise proposed strategy. Based on comments from stakeholders at August 30, 2012 meeting, LRP will combine all SML, NML, VCP, FUDS, non-NPL Federal Facilities and Brownfield Assessment sites into a single list. The sites will be identified by a single MD-#### number within the LRP GIS website database.
January 2013 February Early March 2013	Complete implementation of integrating all sites into single list and posting on website. Based on discussions with contractor, estimated timeframe for migrating data from existing geographic information database to revised structure will be February early March 2013, assuming no delays in schedule.

Table 3: Extended RCRA Permits

Please list all hazardous waste permits that are administratively-extended or due to expire in the next twelve months

Permittee	Type of Permit	Original Expiration Date	Date Renewal Application Received	December 2012 Target Issuance Dates
CNA Holdings, Inc.	CHS Facility Permit (post-closure)	8/31/2005	3/4/2005	Tentative Determination March 2013; Issue June 2013
National Institutes of Health	CHS Facility Permit	5/13/2009	12/2/2008	TD January 2013; Issue April 2013.

Table 4: Mercury Switch Removal

	2007	2008	2009	2010	2011	2012
Number of switches collected	860	4,625	10,052	5,509	11,011	12,151
Capture rate*	1.4%	9.1%	19.7%	10.8%	22.9%	27.6%

* Note: CR = (Number of switches turned in) divided by (number of switches available)

Table 5: LMA's Projected Numbers of CAFOs Registered

Date	Expected Number of CAFOs Registered
12/31/12	$3 \text{ PW} \times 1 \text{ permit/week} \times 13 \text{ weeks} = 39 + 249 = 288$
12/31/13	$3 \text{ PW} \times 1 \text{ permit/week} \times 52 \text{ weeks} = 156 + 288 = 444$
3/31/14	$3 \text{ PW} \times 1 \text{ permit/week} \times 13 \text{ weeks} = 39 + 444 = 483$
6/30/14	$3 \text{ PW} \times 1 \text{ permit/week} \times 13 \text{ weeks} = 39 + 483 = 522$
9/30/14	$3 \text{ PW} \times 1 \text{ permit/week} \times 13 \text{ weeks} = 39 + 522 = 561$
12/31/14	$3 \text{ PW} \times 1 \text{ permit/week} \times 13 \text{ weeks} = 39 + 561 = 600$
3/31/15	$3 \text{ PW} \times 1 \text{ permit/week} \times 13 \text{ weeks} = 39 + 600 = 639$

Table 6: AFO Registration Progress

	8/19/11	11/7/11	1/3/12	5/14/12	7/19/12	10/29/12	11/29/12	2/15/13
1. Total number of NOIs received	595	597	600	592	604	601	608	630*
2. Number of AFOs with NOI & required plans received	331	347	353	422	439	446	443	500
3. Number of AFOs registered under GD Permit	89	132	155	199	237	262	274	293

** The number of NOIs has increased due to the 20 MAFOs that switched to CAFOs and submitted new NOIs. Several additional NOIs have come in due to compliance enforcement efforts on suspected operations.*

Table 7: AFO Inspections

Blue areas were updated for this meeting

	FY10	FY11	FY12	FY13 Target	9/30/12	11/30/12	2/15/13
"Notified" (ie NOI submitted) CAFO AI Sites Inspected	49	58	129	76	37	58	66
"Notified" (ie NOI submitted) MAFO AI Sites Inspected	2	3	0	36	2	2	6
Non-notified Sites Inspected	289		8	112	16	23	49
Non-notified Sites Inspected and Found to be CAFOs or MAFOs	1	37	8	N/A	1	2	3
Followup Inspections and Complaints	Not requested	Not requested	45	92	26	41	54
Total Inspections Conducted (including sites found not to be CAFOs or MAFOs)	52	319	174	316	82	126	175
Minor Violations Found	5	76	55	N/A	31	44	50
Significant Violations Found	0	5	7	N/A	1	2	3

Table 8: AFO Significant Violations, FY12 & FY13

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Facility	Violation	Enforcement Action	6/25 Status	12/3/12 Status	2/15/13 Status
Phat Bird Farm (Lee)	No NOI	Site Complaint 4-20-12 giving 30 days to submit NOI.	Forwarding info to Gary Kelman for review	NOV sent 7/11/2012; no response; visited farm, met with employees of owners on 10/15/2012; Administrative Complaint & Penalty drafted. Litigation package being prepared for AG. sent to AG 1/30/2013. NOI received 1/22/2013.	Ongoing
Trelle Sterling Tangier Sound Farm	No NOI	Site Complaint 5-2-12 giving 30 days to submit NOI	NOI received by MDE within 30 day timeframe. Resolved.	Resolved.	Resolved.

Table 8: AFO Significant Violations, FY12 & FY13

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Facility	Violation	Enforcement Action	6/25 Status	12/3/12 Status	2/15/13 Status
Steven Cullen Farm	No NOI	Site Complaint 5-2-12 giving 30 days to submit NOI	No NOI recvd as of 6/5. Fwding to GK for review.	NOV issued June 29, 2012; modified and reissued August 30, 2012 due to clarification of operator/owner relationship. \$500 fine paid on 10/4/2012. Farm on CS1 dated 9/8/2012. NOI submitted by Sharon Macneal (operator) 9/12/2012.	Resolved
Brothers Chicken Farm Joseph Shin	Failure to make corrections after 1 st notice	Site Complaint Issued 5-15-12 to correct immediately.	Forwarding Info to Gary Kelman for review.	Corrections made as per Site Complaint. Resolved.	Resolved.
Ten House Farm Minh Vinh	Failure to make corrections after 1 st notice	Site Complaint Issued 5-16-12 to correct immediately.	Forwarding Info to Gary Kelman for review.	Corrections made as per Site Complaint. Resolved.	Resolved.

Table 8: AFO Significant Violations, FY12 & FY13

Facility	Violation	Enforcement Action	6/25 Status	12/3/12 Status	2/15/13 Status
Poor Boys Farm George Sherman	Failure to make corrections after 1 st notice	Site Complaint Issued 5-17-12 giving 30 days to comply.	Forwarding Info to Gary Kelman for review.	Corrections made as per Site Complaint. Resolved.	Resolved.
Jay Kinnamon Farm	No NOI	Site Complaint 8-28-2012 giving 30 days to submit	Forwarding Info to Gary Kelman for Review	NOV drafted on 10/22/2012. NOV sent 11/29/2012. \$500 penalty. NMP received 2/5/2013.	Ongoing
Ricky Holland Jenrick Farm	No NOI	Site Complaint issued on 1-15-2013 giving 30 days to submit.			Ongoing.